

FILED
UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

JUL 14 2020

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

MITCHELL R. ELFERS
CLERK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SANTIAGO RIVERA,

Defendant.

CRIMINAL NO. 20-1484 JP

Count 1: 18 U.S.C. §§ 922(g)(1) and 924:
Felon in Possession of a Firearm and
Ammunition;

Count 2: 21 U.S.C. §§ 841(a)(1) and
(b)(1)(C): Possession with Intent to
Distribute Heroin;

Count 3: 18 U.S.C. § 924(c)(1)(A)(i):
Possessing a Firearm in Furtherance of a
Drug Trafficking Crime.

INDICTMENT

The Grand Jury charges:

Count 1

On or about June 10, 2020, in Rio Arriba County, in the District of New Mexico, the defendant, **SANTIAGO RIVERA**, knowing that he had been convicted of at least one crime punishable by imprisonment for a term exceeding one year, specifically:

- (1) receiving or transferring stolen motor vehicles,
- (2) larceny (over \$20,000),
- (3) trafficking controlled substances (2 counts),
- (4) possession of a firearm or destructive device by a felon,
- (5) possession of a controlled substance,
- (6) larceny (over \$500 but not more than \$2,500), and
- (7) escape,

knowingly possessed firearms and ammunition in an affecting commerce.

In violation of 18 U.S.C. §§ 922(g)(1) and 924.

Count 2

On or about June 10, 2020, in Rio Arriba County, in the District of New Mexico, the defendant, **SANTIAGO RIVERA**, unlawfully, knowingly, and intentionally possessed with intent to distribute a controlled substance, and the offense involved a mixture and substance containing heroin.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C).

Count 3

On or about June 10, 2020, in Rio Arriba County, in the District of New Mexico, the defendant, **SANTIAGO RIVERA**, knowingly possessed a firearm in furtherance of a drug trafficking crime for which the defendant may be prosecuted in a court of the United States, specifically, possession with intent to distribute heroin as charged in Count 2 of this indictment.

In violation of 18 U.S.C. § 924(c)(1)(A)(i).

FORFEITURE ALLEGATION

Count 1 of this indictment is incorporated as part of this section of the indictment as if fully re-alleged herein for the purpose of alleging forfeiture to the United States pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c).

Upon conviction of an offense alleged in Count 1 of this indictment, the defendant, **SANTIAGO RIVERA**, shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), any interest he may have in a:

- (1) Panther Arms rifle, .223 caliber, serial number FH149002,
- (2) Glock handgun, .40 caliber, serial number XNW480, and

(3) Smith & Wesson handgun, .40 caliber, serial number FX24030601.

A TRUE BILL:

15/
FOREPERSON OF THE GRAND JURY

Sarah Howard
Assistant United States Attorney

7/13/2020 6:42 PM